

## BOARD OF SELECTMEN

Minutes of the Meeting of 14 December 2005 at 7:00 PM. The meeting took place in the Court Room, Town & County Building, 16 Broad Street, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki, and Whiting Willauer. Bruce Watts was absent. Chairman Glowacki called the meeting to order at 7:00 PM.

Announcements. Chairman noted Mr. Watts' absence was due to a minor fall on ice and noted that the Fisheries and Wildlife Board voted Monday to take action as the Board had recommended so that no February hunt will occur this next year.

Approval of Minutes of 7 December 2005. The Board approved the minutes by unanimous consent.

Approval of Payroll Warrant for Week Ending 11 December 2005. The Board approved the payroll warrant by unanimous consent.

### Citizen/Departmental Requests

1. 2006 Annual License Renewals: Annual Liquor Licenses; Entertainment Licenses; Motor Vehicle Rental Agency Licenses; Class I, II, III Motor Vehicle Sales Licenses; Mobile Food Unit Licenses; Flowers/Produce Vendor Licenses; Common Victuallers Licenses. Chairman Glowacki indicated that the renewals would be taken in turn by category. Mr. Bennett moved to approve the annual liquor license renewals. Mr. Chadwick seconded. So voted unanimously. Mr. Chadwick moved to approve the common victuallers licenses. Mr. Bennett seconded. So voted unanimously. Mr. Willauer asked about entertainment license hours and a brief discussion followed. Mr. Chadwick moved to approve the entertainment licenses. Mr. Bennett seconded. So voted unanimously.

Mr. Chadwick moved to approve the motor vehicle rental agency licenses. Discussion followed on stickers. Mr. Bennett seconded. So voted unanimously. Mr. Chadwick moved to approve Class I,II, III licenses. Mr. Bennett seconded. So voted unanimously.

Mr. Willauer shared concerns made to him by DPW employees about trash after hours along "the strip." After brief discussion, the Board consented to rescind the vote to approve common victuallers licenses. Mr. Chadwick noted the requirement for nightly cleaning and clarified the situation. Town Administrator Libby Gibson and Health Officer Richard Ray added that proposed remedies are in place to address the issue. Mr. Bennett moved to approve the common victuallers licenses. Mr. Chadwick seconded. So voted unanimously. Mr. Chadwick moved to approve the flower/produce vendor licenses. Mr. Bennett seconded. So voted unanimously. Mr. Bennett moved to approve the mobile food unit licenses. Mr. Chadwick seconded. So voted unanimously.

2. Request for Approval of 2006 Temporary Increased Resident Population in Accordance with Massachusetts General Law Chapter 138 Section 17. There was discussion on the estimated summer population. Mr. Bennett moved to approve the estimate (for the Alcoholic Beverages Control Commission). Mr. Chadwick seconded. So voted unanimously.

3. Planning Department: Update of Survey of Potential Options to Address Growth Management for Nantucket. Planning Director Andrew Vorce recognized members of the commission and staff and gave a presentation within which he addressed the 41-81D Master Plan progress to date and reviewed upcoming plans as well as goals for warrant articles. Senior Planner Leslie Woodson spoke on the Pine Valley zoning article as an example of what is to be accomplished. She noted upcoming opportunities for public input in the process on this and other articles.

Mr. Vorce reviewed a sample land use concept and shared questionnaire goals and reasons for ballot questions. He further described website goals, usage and next steps. He thanked the Board for its work. Chairman Glowacki noted helpfulness of the samples presented and discussion followed on deed restriction life spans. Mr. Chadwick shared concerns about the number of houses on lots and last minute amendments to projects without warning or knowledge to those affected. Mr. Vorce noted possibility of giving extra notice. Mr. Bennett spoke on need to address housing and Mr. Willauer asked about the elements of the 41-81D plan. Discussion followed on progress and its tracking. Mr. Vorce gave website address. Chairman Glowacki again noted that amendments on town meeting floor affect

residents without their knowledge and asked for thoughts on sewer districts; Mr. Vorce agreed on the need to look at this.

4. Nantucket Lighthouse School Request for Building Department Permit Penalties Waiver. School board member Chris Ravenscroft spoke on behalf of the school, noting last appearance before the Board and payment of \$5,040 in fines. He asked for consideration of the Board and welcomed questions. Mr. Chadwick asked about who gave "inadequate info" indicated by Mr. Ravenscroft. Mr. Chadwick noted the need to speak to building inspector and to continue to the next agenda; he moved to do so. Mr. Bennett seconded. So voted unanimously.

#### Town Administrator's Report

1. Report on Taxi Association Inquiry Regarding Regulations Enforcement. Ms. Gibson deferred to Police Chief Bill Pittman who noted the attempt to establish the issue of the complaint and gave history of general allegations of improperly operating taxis and the response given by the police department. He noted that regulations are not clear and referenced language. He noted "complaints can't be anecdotal, must be specific." He noted that follow up of allegations were shared with the Taxi association attorney at the meeting of parties in October and that with the goal for compliance is in place, he recommended set up of a better process for taking complaints with responses to occur within that process. He noted he would require meters in taxis and that records inspections are allowed to a point as per the code. He indicated he had no recommendation for any code changes at this point.

Attorney Steve Cohen thanked the Police Department and Town Administration office, noting differences in control and management and need for enforcement action. He asked the board to "either strengthen or eliminate rules, setting standards that are fair." Ms. Gibson noted the Board's ability to make changes based on suggestions and noted proposals welcomed for changes via public hearing. Attorney Cohen requested direction from the Board. Mr. Bennett spoke on issue of taxi waiting list and discussion followed. Chief Pittman addressed issue of residence, noting the regulations simply state a requirement for knowledge of the roads and that the owner must pick up license. Attorney Cohen noted issue of control. Mr. Chadwick noted need for public hearing. Discussion followed on addressing the matter. Diane Coombs spoke on her understanding of the regulations as a taxi driver. Taxi licensee David Barrett noted a "change in name" for another company. Ms. Gibson welcomed review of minutes for any/all amendments, which would have occurred with public hearings. Mr. Bennett moved to direct Town Administration to provide facts over the last seventeen years since 1988 to bring history forward for change/amend regarding residence on Nantucket to legally hold license. There was no second. Mr. Willauer commented that a proposal forward would be welcome from taxi assn. Attorney Cohen noted he would confer with his clients on how to proceed. Mr. Chadwick asked for confirmation on two licenses involved in change of name and Mr. Barrett agreed to research. Bill Brown noted that a taxi regulations update occurred without a public hearing. Discussion followed and Chairman Glowacki noted need to conduct orderly meeting and to move on.

2. FY 2007 General Fund Budget Update. Town Administrator Libby Gibson gave an update of the previous presentation, including a summary of revisions. Finance Director Connie Voges answered how long an override would carry the Town, as the Board had asked at the last meeting. Chairman Glowacki recapped the budget development process, noting responsibilities of the Board, finance committee and school committee. He stated the current deficit and situation, noting action to be taken next week. Mr. Bennett asked about his request for balanced budget without an override or staff cuts and discussion followed. Ms. Gibson provided information on the few places where discretion is allowed, noting obligations where they exist. Chairman Glowacki restated options. Mr. Willauer sought clarity on school salaries, unpaid bills, the citizen article for filming; a brief discussion followed on the solid waste enterprise account and on the reserve fund. Chairman Glowacki inquired of the status of numbers for school and Susan Genther responded. Discussion followed on the template for the budget.

Selectmen's Report/Comment

1. FY 2007 General Fund Budget Review. Chairman Glowacki referenced the 1.9 million contribution from the general fund to the solid waste enterprise fund and the Board goal to eliminate the deficit. Ms. Gibson indicated that projected solid waste enterprise fund figures would be provided in an upcoming meeting.

2. Solid Waste Enterprise Account: Continuing Identification of Issues/Brainstorming Solutions.

Chairman Glowacki introduced the matter and Mr. Chadwick stated that the draft update is in Board mailboxes. Discussion followed on the status of reaching a solution, with next stage to seek outside help where needed.

Mr. Bennett commented on the February deer hunt vote and the "will of the people."

At 9:15 PM, Chairman Glowacki polled the Board and Mr. Chadwick, Mr. Willauer, Mr. Bennett and Chairman Glowacki voted unanimously to adjourn to Executive Session not to return to Open Session for the purpose of approval of minutes, and discussing real estate matters.

Approved the 21st day of December 2005.